

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

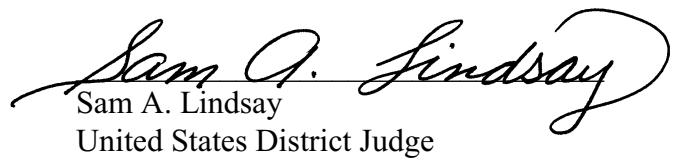
**JOSE LUIS DIAZ, and all others similarly  
situated under 29 U.S.C. § 216(b),** §  
§  
§  
Plaintiff, §  
v. § Civil Action No. **3:13-CV-466-L**  
§  
§  
**JASMINE CHEN, INC. d/b/a** §  
**RESTAURANT JASMINE a/k/a** §  
**JASMINE UNIQUELY CHINESE;** §  
**CONNIE LEE; AND LEE CHEN,** §  
§  
§  
Defendants. §

**ORDER**

The case was referred to Magistrate Judge Paul D. Stickney, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on March 19, 2014, recommending that this action be dismissed *sua sponte* for want of prosecution and failure to comply with court orders pursuant to Federal Rule of Civil Procedure 41(b). No objections to the Report were filed.

Having reviewed the pleadings, file, record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct, **accepts** them as those of the court, and *sua sponte* **dismisses without prejudice** this action pursuant to Federal Rule of Civil Procedure 41(b). The court’s decision to *sua sponte* dismiss this action pursuant to Rule 41(b) moots Defendants’ motions to dismiss this action under Rule 41(b). The court therefore **denies as moot** Defendants’ Motion for Involuntary Dismissal (Doc. 22) and Defendants’ Motion to Affirm Magistrate Judge’s Recommendation for Dismissal (Doc. 25).

**It is so ordered** this 18th day of April, 2014.



Sam A. Lindsay  
United States District Judge